

REMARKS

Initially, Applicant notes that the remarks and amendments made by this paper are consistent with the proposals presented to the Examiner by telephone.

By this paper, claims 1, 9, 17, 19, 27, and 37 have been amended, claim 16 has been canceled, and no claims have been added such that claims 1-15 and 17-43 remain pending, of which claims 1, 9, 19, 27, and 37 are the only independent claims at issue.

The Office Action, mailed July 9, 2008, considered and rejected claims 1-43. Claims 1-43 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Johnston* (U.S. Patent No. 6,104,391).²

As reflected in the above claim listing, the pending claims are generally directed to systems and methods for centrally managing user interface state information for the visual user interface development tool such that behavior for one or more user interface components or the visual user interface tool itself may be defined dynamically at development time. Claim 1, for example, recites a method wherein a transparent adorning window overlaying a design space of the visual user interface development tool is created with the transparent adorning window being adapted to intercept messages of the visual user interface development tool. A message generated within the visual user interface development tool is intercepted during the development of one or more user interface components. The message is sent to a centralized extensible behavior stack to check for one or more behaviors to use in processing the message, wherein a behavior describes the manner in which the user interface components or the visual user interface development tool processes the message resulting in a user interface activity dependent upon the behavior such that the functionality of the user interface components or the visual user interface development tool is defined by the behavior. The centralized extensible behavior stack containing currently available behaviors for processing messages is checked to determine if a behavior is available to process the message. If a behavior is available on the centralized extensible behavior stack, the message is passed to the available behavior for processing thereby resulting in a dynamically defined functionality and appearance of the interface.

Claim 9 is directed to a corresponding computer program product for implementing a method similar to the method of claim 1. Claim 19 is directed to another similar method to the method recited in claim 1, but uses functional 'step for' language instead of acts. Claim 27 is directed to a

² Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

computer program product for implementing a method similar to the method of claim 19. Finally, claim 37 is directed to another computer program product wherein several components related to the implementation of the invention (e.g., behavior stack, extensible collection, and message router) are defined in terms of computer-executable instructions.

It will be noted that all of the claims were rejected by a single reference, namely the *Johnston* reference. *Johnston* is directed to embodiments for interfacing applications and operating systems to provide for flexible customization of graphical user interfaces. In more general terms, the embodiments of *Johnston* are directed to providing for "themes" in an operating system.

As previously asserted, Applicant respectfully submits that the use of the term behavior within the cited art is different than in the present claims. To clarify this distinction, it will be noted that the independent claims have been amended to specifically recite that a behavior describes the manner in which the user interface components or the visual user interface development tool process the message resulting in a user interface activity dependent upon the behavior such that the functionality of the user interface components or the visual user interface development tool is defined by the behavior. In the present invention, the behavior describes the functionality of the components, for instance whether a mouse click will minimize or close a window. However, as indicated in column 4, line 60 through column 5, line 8 of *Johnston*, window elements are separated into 3 attributes: appearance, behavior, and functionality. The embodiments of *Johnston* teach how to modify appearance and behavior without modifying functionality. With regards to the previous example, *Johnston* teaches that a user can change a theme whereby a mouse click could cause the appearance of the window to change or animate a cursor, but the *Johnston* system would never change the function of the button as is done in the currently claimed embodiments. Indeed, the idea of changing functionality is entirely foreign to *Johnston*, as *Johnston* is directed to maintaining functionality while modifying appearance.

While the Office Action cites *Johnston* as teaching modifying functionality, Applicant respectfully disagrees with the Office's findings. For example, Office cites Figures 2C, 2D, and 2E as showing different functional attributes. However, it will be noted that while the appearance of the different figures has changed, the functionality of each displayed item has not. The checkboxes are still check boxes and the font menu is still a drop down menu. The remaining cited sections of *Johnston* all describe changing the appearance and behavior, while maintaining equivalent functionality. In *Johnston*, maintaining functionality is a stated goal of the invention. The Office Action states, "by dynamically changing the appearance and/or behavior of the function attributes

would require how the user to interact accordingly with the changed functionality of the attributes/objects in the user interface.” However, *Johnston* does not discuss changing functional attributes and nowhere in the Office Action provide any support for such a teaching that is within, or supported by, *Johnston*.

For at least these reasons, as well as the others presented to the Examiner over the phone, Applicant respectfully submits that the pending independent claims are distinguished from the cited art of record and that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

Dated this 7th day of October, 2008.

Respectfully submitted,

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